

Message Text

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SUBJECT: COLOMBIA- VENEZUELAN BOUNDARY DISPUTE

REF: CARACAS 3573

1. EX- MINISTER OF MINES AND PETROLEUM CARLOS GUSTAVO ARRIETA GAVE AN INTERVIEW TO AN EL ESPECTADOR REPORTER THAT APPEARED ON APRIL 25. ARRIETA WAS MINISTER OF MINES DURING THE ENTIRE GOVERNMENT OF CARLOS LLERAS RESTREPO, AND HEADED THE COLOMBIAN DELEGATION IN TALKS WITH VENEZUELA DURING A FIVE YEAR PERIOD.

2. ARRIETA DID NOT COMMENT ON THE TERMINATION OF THE ROME TALKS BUT INSTEAD PRESENTED THE COLOMBIAN- VENEZUELAN DISPUTE IN THE FRAMEWORK OF VENEZUELA'S RELATIONS WITH ITS NEIGHBORS. HE POINTED OUT THAT VENEZUELA HAD FIVE GOOD NEIGHBORS AND FIVE DISPUTES WITH THOSE NEIGHBORS. ALMOST ALL THE AMERICAN STATES HAVE SETTLED THEIR FRONTIER QUESTIONS HE SAID, BUT VENEZUELA HAS NOT BEEN ABLE TO DO SO DURING THE 150 YEARS OF ITS EXISTENCE.
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3. ARRIETA STATED THAT BRAZIL HAS SETTLED ITS LAND FRONTIERS WITH ALMOST ALL ITS NEIGHBORS, WITH THE EXCEPTION OF VENEZUELA; AFTER 114 YEARS IT HAS STILL NOT BEEN POSSIBLE TO DEFINE THE LAND FRONTIER BETWEEN THE TWO COUNTRIES. THE CONTROVERSY WITH

GUYANA HAS CONTINUED FOR 75 YEARS EVEN THOUGH THERE WAS AN ARBITRAL JUDGMENT AT THE END OF THE LAST CENTURY TO RESOLVE THE QUESTION THAT VENEZUELA DID NOT ACCEPT. THE CONTINENTAL SHELF BETWEEN VENEZUELA AND TRINIDAD- TOBAGO IN THE GULF OF PARIA WAS SETTLED BETWEEN VENEZUELA AND TRINIDAD- TOBAGO IN THE GULF OF PARIA WAS SETTLED BY A 1942 TREATY, BUT LITIGATION CONCERNING THE CONTINENTAL SHELF IN NEIGHBORING AREAS CONTINUES. THERE IS A POTENTIAL CASE OF LITIGATION BETWEEN VENEZUELA AND THE DUTCH ANTILLIES BECAUSE IN 1961 VENEZUELA REJECTED THE CONCEPT OF THE MEDIAN LINE DOCTRINE ESTABLISHED IN THE GENEVA LOS CONVENTIONS. ALTHOUGH THE LAND FRONTIERS OF COLOMBIA WITH VENEZUELA WERE FIXED IN 1941, VENEZUELA STARTED LITIGATION IN REGARD TO THE SEA FRONTIERS AND, AT THE SAME TIME, REJECTED THE GENERALLY ACCEPTED INTERNATIONAL STANDARDS CONCERNING DEMARCATION OF SUCH AREAS.

4. ARRIETA ADDED THAT AFTER EIGHT LONG YEARS OF NEGOTIATIONS BETWEEN COLOMBIA AND VENZUELA, THE SITUATION SEEMS TO BE THE SAME NOW AS ON THE FIRST DAY OF NEGOTIATION. COLOMBIA HAS SUCCEEDED IN SETTLING ALL OF ITS BORDER QUESTIONS WITH ITS NEIGHBORS EXCEPT FOR THE PROBLEM WITH VENEZUELA. ARRIETA CONCLUDED THAT HE DID NOT WANT TO SAY WHO IS TO BLAME.

5. PRESIDENT CALDERA RESPONDED TO ARRIETA IN HIS APRIL 26 NEWS CONFERENCE WHICH RECEIVED FULL PLAY IN THE COLOMBIAN PRESS. CALDERA REJECTED THE POSSIBILITY OF SUBMITTING THE COLOMBIAN-VENEZUELAN DISPUTE TO INTERNATIONAL ARBITRATION BECAUSE OF THE PRESSURE THAT " POWERFUL INTERNATIONAL INTERESTS" COULD EXERT IN SUCH A CASE. HE SAID THAT THE BILATERAL TALKS BETWEEN THE TWO COUNTRIES SHOULD CONTINUE AND REFERRED TO THE TERMINATION OF THE ROME TALKS AS AN INTERRUPTION. CALDERA CRITISIZED ARRIETA' S DECLARATION AND SAID THAT VENEZUELA DOES NOT HAVE LITIGATION WITH ANY OF ITS NEIGHBORS WITH THE EXCEPTION OF GUYANA (SEE CARACAS 3573 FOR DETAILS). COLOMBIAN FOREIGN MINISTER ALFREDO VAZQUEZ CARRIZOSA RESPONDED TO REPORTERS ON APRIL 27 WHEN ASKED ABOUT CALDERA' S STATEMENTS.

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6. VAZQUEZ EMPHASIZED THAT HE HAD ATTEMPTED TO DISCRETE IN HIS PUBLIC DISCUSSIONS OF THE DELICATE AND DIFFICULT NEGOTIATIONS WITH VENEZUELA, BUT SAID THAT IT WAS NECESSARY TO CLARIFY CERTAIN POINTS. THE VENEZUELAN PRESS HAS ATTRIBUTED THE TERMINATION OF THE ROME TALKS TO A DECISION BY AMBASSADOR GERMAN ZEA HERNANDEZ BUT, IN FACT, ZEA HAS BEEN CARRYING OUT THE INSTRUCTIONS GIVEN HIM BY PRESIDENT PASTRANA AND THE FOREIGN MINISTER, WHICH WERE IN EVERY CASE CONSULTED BEFOREHAND WITH THE FOREIGN AFFAIRS ADVISORY COMMITTEE. COLOMBIA NEVER INTRODUCED THE QUESTION OF PETROLEUM INTO THE NEGOTIATION NOR EVEN MENTIONED THE POSSIBLE EXISTENCE OF PETROLEUM RESOURCES IN THE DISPUTED AREA; THE COLOMBIAN NEGOTIATORS IN ROME WERE NEVER EMPOWERED TO DISCUSS THE QUESTION OF PETROLEUM. COLOMBIA HAS PURSUED ITS CLAIM TO SOVEREIGNTY IN THE AREA

ON PURELY JURIDICAL, GEOGRAPHIC AND HISTORICAL BASES.

7. VAZQUEZ COMMENTED THAT COLOMBIA'S TRADITIONAL POLICY FOR MORE THAN 150 YEARS HAS BEEN TO SEEK SOLUTIONS TO INTERNATIONAL DIFFERENCES IN ACCORDANCE WITH TREATIES AND IN CONFORMITY WITH INTERNATIONAL LAW. NORMALLY NATIONS MAKE USE OF PROCEDURES CONTAINED IN INTERNATIONAL LAW FOR THE SETTLEMENT OF DISPUTES WHEN DIRECT NEGOTIATIONS HAVE NOT BEEN SUCCESSFUL; IT WOULD BE DIFFICULT TO PROVE THAT RECOGNIZED INTERNATIONAL PROCEDURES FOR THE SETTLEMENT OF DISPUTES ARE SUBJECT TO POWERFUL FOREIGN PRESSURES, AS PRESIDENT CALDERA IMPLIED. THE TREATMENT OF DISPUTES BY INTERNATIONAL JURIDICAL PROCEDURES IS RECOGNIZED BY THE CHARTER OF THE UN AND THE OAS, AS WELL AS BY A BILATERAL TREATY BETWEEN VENEZUELA AND COLOMBIA. VAZQUEZ EMPHASIZED THAT COLOMBIA IS PREPARED TO EXPLORE VARIOUS PROCEDURES EMBODIED IN BILATERAL AND MULTILATERAL TREATIES TO RESOLVE THE DISPUTE WITH VENEZUELA.

8. VAZQUEZ WENT ON TO STATE THAT COLOMBIA HAD BEEN A STRONG DEFENDER OF SETTING UP REGIONAL RULES IN REGARD TO PRIVATE INVESTMENT, AND HAD TAKEN A LEADING PART IN THE FRAMING OF THE FOREIGN CAPITAL STATUTE IN THE ANDEAN PACT. THE STATUTE ON FOREIGN CAPITAL FORMS THE FRAMEWORK FOR INVESTMENT IN THE COUNTRIES OF THE ANDEAN PACE AND PREVENTS ANY COUNTRY FROM TAKEN UNFAIR ADVANTAGE OF ANOTHER, HE SAID.

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9. ARRIETA SUBSEQUENTLY GAVE A PRESS CONFERENCE WHICH APPEARED IN THE BOGOTA PRESS ON APRIL 29 TO ANSWER VENEZUELAN OBJECTIONS TO HIS PREVIOUS COMMENTS. HE SAID THAT ALL OF HIS STATEMENTS IN REGARD TO VENEZUELA'S DISPUTES WITH ITS NEIGHBORS WERE ACCURATE AND WERE SUPPORTED BY OFFICIAL VENEZUELAN DECLARATIONS. HE POINTED OUT THAT THE SEPTEMBER 29, 1972 EL UNIVERSAL OF CARACAS PRINTED A PORTION OF PRESIDENT CALDERA'S NEWS CONFERENCE. ACCORDING TO THAT PAPER, CALDERA SAID THAT THE DUTCH ANTILLES HAD ASKED THE NETHERLANDS TO PUT PRESSURE ON VENEZUELA TO HOLD TALKS ON SEA QUESTIONS, AND HE STATED THAT VENEZUELA WOULD NOT HOLD CONVERSATIONS UNDER THE THREAT OF SUCH PRESSURE. ARRIETA ALSO SAID THAT THE JUNE 14, 1970 EL NACIONAL OF CARACAS PUBLISHED AN ARTICLE CALLING ON THE GOVERNMENT TO ACT WITH FIRMNESS WHEN DEALING WITH THE CONTINENTAL SHELF DISPUTES WITH THE NETHERLANDS, TRINIDAD-TOBAGO AND COLOMBIA. ARRIETA ALSO MENTIONED THE APRIL 26, 1973 PRESS CONFERENCE OF PRESIDENT CALDERA IN WHICH CALDERA STATED THAT VENEZUELA HAD A TERRITORIAL DISPUTE WITH GUYANA. FINALLY, ARRIETA SAID THAT A VENEZUELAN MAGAZINE HAD STATED THAT VENEZUELA HAS DISPUTES WITH ALL ITS NEIGHBORS, INCLUDING BRAZIL.

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